

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Isis Garcia-Martínez
Council Vice President



Council Members
Jose F. Caragol
Katharine Cue-Fuente
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Meeting Agenda November 12, 2019 7:00 P.M.

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilman Caragol

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

1. PRESENTATIONS

2. ELECTION OF COUNCIL PRESIDENT AND COUNCIL VICE PRESIDENT

- A.** Election of Council President pursuant to §3.01 (c) of the Hialeah Charter.
- B.** Election of Council Vice President pursuant to §3.01 (c) of the Hialeah Charter.

3. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Item PZ 3 has been postponed per the applicant's request.

4. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A.** Request permission to approve the minutes of the Council Meeting held on October 22, 2019. (OFFICE OF THE CITY CLERK)
- B.** Request from Samurai Fireworks LLC, located at 7950 NW 53rd Street, Suite 337, Miami, Florida 33166, for permission to install a seasonal firework tent for the sale of fireworks, with set up taking place on Monday, December 16, 2019 and take down on Wednesday, January 1, 2020, and with sales scheduled to take place from Sunday, December 22, 2019 through Tuesday, December 31, 2019, to be located at 5378 West 16th Avenue, Hialeah, Florida, subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK)
- C.** Request from Samurai Fireworks LLC, located at 7950 NW 53rd Street, Suite 337, Miami, Florida, for permission to install a seasonal firework tent for the sale of fireworks, with set up taking place on Monday, December 16, 2019 and take down on Wednesday, January 1, 2020, and with sales scheduled to take place from Sunday, December 22, 2019 through Tuesday, December 31, 2019, to be located at 2122 West 16th Street, Hialeah, Florida, subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK)
- D.** Request from Rincon de San Lazaro Church, located at 1190 East 4th Avenue, Hialeah, Florida, for a procession permit, to host a procession on Tuesday, December 17, 2019, from 8:00 p.m. to 10:00 p.m., beginning on church grounds, traveling to East 9th Street, taking a right on East 9th Street, taking a right on East 1st Avenue, continuing on East 21st Street, taking a right on East 21st Street, taking a right on East 4th Avenue and returning to church grounds, in accordance with recommendations from the Police Department and Fire Department. (OFFICE OF THE CITY CLERK)

- E.** Request from Conviva Care Solutions, located at 3233 Palm Avenue, Hialeah, Florida

33012, for permission to host a patient retention event, with set up taking place on Monday, November 18, 2019 at 3:00 p.m. and take down on Tuesday, November 19, 2019 at 2:30 p.m., with the event taking place on November 19, 2019, from 10:00 a.m. to 1:30 p.m., to be located at 3233 Palm Avenue, Hialeah, Florida, subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK)

- F.** Request from Conviva Care Solutions, located at 975 West 49th Street, Hialeah, Florida 33012, for permission to host a patient retention event, with set up taking place on Friday, November 22, 2019 at 3:00 p.m., and take down on Saturday, November 23, 2019 at 2:30 p.m., with the event taking place on November 23, 2019, to be located at 975 West 49th Street, Hialeah, Florida, subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK)
- G.** Request permission to waive competitive bidding, since it is advantageous to the City in that the Miami Herald is a newspaper of general circulation in the City of Hialeah as required by law, and issue a purchase order to the Miami Herald, for the cost of legal and classified advertisements for fiscal year 2019-2020, in a total cumulative amount not to exceed \$80,000. (OFFICE OF THE CITY CLERK)
- H.** Request permission for a street closure permit to host the City's Triangle Park Holiday Lighting Ceremony and Art on Palm, beginning on Palm Avenue from West 3rd Street to Okeechobee Road, West 3rd Street bordering Triangle Park from Palm Avenue to Okeechobee Road, and Palm Avenue from Okeechobee Road to 6th Street, on Friday, November 22, 2019, with the event taking place from 6:00 p.m. to 10:00 p.m., and with the closure hours of 4:00 p.m. to 11:00 p.m. (COMMUNICATIONS AND SPECIAL EVENTS DEPT.)
- I.** Request permission to renew the Professional Services Agreement with ADF Consulting LLC, for a period of one year, commencing on October 1, 2019 and ending on September 30, 2020, for governmental affairs consulting, as well as governmental representation before the executive and legislative branches of the State of Florida, in a total cumulative amount not to exceed \$45,000, inclusive of registration fees, costs and expenses, payable in equal monthly installments. (OFFICE OF THE MAYOR)
- J.** Request permission to waive competitive bidding, since it is advantageous to the City due to time constraints and the existing condition of the elevator, and issue a purchase order to South Shore Elevator Service Corp, for the emergency modernization of the elevator located at the Annex 32 Units elderly housing facility, in a total cumulative amount not to exceed \$49,800. (DEPT. OF GRANTS AND HUMAN SERVICES & CONSTRUCTION AND MAINTENANCE DEPT.)
- K.** Request permission to waive competitive bidding, since it is advantageous to the City due to time constraints and the existing condition of the elevator, and issue a purchase order to South Shore Elevator Service Corp, for the emergency modernization of the elevator located at the Annex 29 Units elderly housing facility, in a total cumulative amount not to exceed \$49,800. (DEPT. OF GRANTS AND HUMAN SERVICES & CONSTRUCTION AND MAINTENANCE DEPT.)
- L.** Request permission to issue a purchase order to Inphynet Contracting Services, LLC, for emergency medical services provided by Dr. Frederick Keroff in fiscal year 2017-2018, which include medical consulting, training, and advisory services to the Hialeah Fire

Department, in a total cumulative amount not exceed \$60,000. The City entered into an agreement with this vendor for a period of five years, commencing on October 1, 2017 and ending on September 30, 2022. (FIRE DEPT.)

- M. Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor has agreed to maintain the same unit prices and services rendered to the City during the last fiscal year, and issue a purchase order to Anro Enterprises, Inc., d/b/a Diago Dry Cleaners, for dry cleaning services in fiscal year 2019-2020, in a total cumulative amount not to exceed \$31,000. (FIRE DEPT.)
- N. Request permission to utilize Lake County, Florida Contract No. 17-0606, effective through June 30, 2020, and issue a purchase order to Bennett Fire Products Company, Inc., for the purchase of firefighting equipment and firefighter personal protective equipment to outfit new recruits with safety gear and to replace existing equipment, in a total cumulative amount not to exceed \$30,000. (FIRE DEPT)
- O. Report of Scrivener's Error – Ordinance No. 2019-020 of the City Council Meeting of March 12, 2019 was passed and adopted with an error. The ordinance was missing Exhibit "2", the legal address. A copy of "Exhibit 2" has added to Ordinance 2019-020. (LAW DEPT.)
- P. Request permission to waive competitive bidding, since it is advantageous to the City, and issue two (2) purchase orders to All Uniform Wear Corp., vendor providing the lowest quotation, with the first purchase order being to purchase uniforms for fire personnel, in the amount of \$40,000, and the second purchase order to purchase uniforms for dispatch personnel, in the amount of \$5,000, for a total cumulative expense amount not to exceed \$45,000. (FIRE DEPT.)
- Q. Request permission to renew the agreement between the City of Hialeah and Change Healthcare Technology Enabled Services, LLC, for medical billing services, for fiscal year 2019-2020, in a total cumulative amount not to exceed \$230,000. (FIRE DEPT.)
- R. Request permission to issue two (2) purchase orders, one purchase order to Hall-Mark d/b/a REV RTC, Inc., sole source vendor, for the purchase of fire service tools, in the amount of \$15,000, and the second purchase order to TEN-8 Fire Equipment, Inc., for the purchase of fire suppression tools and equipment, in the amount of \$15,000, for a total cumulative expense amount not to exceed \$30,000. (FIRE DEPT.)
- S. Request permission to award the Construction Engineering & Inspections (CEI) Services for the construction of NW 145th Place from 102nd to 107th Avenue, to The Corradino Group, Inc., in a total cumulative amount not to exceed \$38,010. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 – General Consultants for Engineering and Architectural Services, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (STREETS)
- T. Request permission to utilize Lake County Florida Contract No. 17-0606G - *Fire Equipment – Parts – Supplies – Service*, effective through June 30, 2020, and issue a purchase order to Municipal Emergency Services, Inc., for repairs to fire equipment, in a total cumulative amount not to exceed \$8,000. (FIRE DEPT.)

- U. Request permission to utilize Lake County Florida Contract No.17-0606H - *Fire Equipment – Parts – Supplies – Service*, effective through June 30, 2020 with four (4) one-year renewals, and issue a purchase order to Municipal Equipment Company, LLC, for purchase of fire suppression foam, in a total cumulative amount not to exceed \$15,000. (FIRE DEPT.)
- V. Request permission to utilize Lake County Florida Contract No.17-0606G - *Fire Equipment – Parts – Supplies – Service*, effective through June 30, 2020, and issue a purchase order to Municipal Emergency Services, Inc., for purchase of Fire Department uniforms, in a total cumulative amount not to exceed \$13,000. (FIRE DEPT.)
- W. Request permission to issue two (2) purchase orders, one purchase order to Hall-Mark d/b/a REV RTC, Inc., sole source vendor, for the purchase of fire service tools, in the amount of \$15,000, and the second purchase order to TEN-8 Fire Equipment, Inc., for the purchase of fire suppression tools and equipment, in the amount of \$15,000, for a total cumulative expense amount not to exceed \$30,000. (FIRE DEPT)
- X. Request permission to issue two purchase orders to Municipal Emergency Services, Inc., sole source vendor, for the purchase Target Solutions, an educational training website for fire fighters-paramedics and dispatch, in a total cumulative amount not to exceed \$22,645, with the first purchase order being in the amount of \$22,645 for Fire and the second purchase order in the amount of \$4,135.43 for Dispatch. (FIRE DEPT.)
- Y. Report of Scrivener’s Error – Ordinance No. 2019-001 of the City Council Meeting of January 8, 2019 was passed and adopted with an error. The ordinance was to rezone property from GU (Interim District Miami-Dade County Zoning Designation) to MH (Industrial District). In the title of the Ordinance, the reference to 54 Street should have been 154 Street and corrected as follows:
- “ORDINANCE REZONING PROPERTY FROM GU (INTERIM DISTRICT MIAMI-DADE COUNTY ZONING DESIGNATION) TO MH (INDUSTRIAL DISTRICT). PROPERTY CONSISTING OF 336 ACRES, MORE OR LESS, LYING NORTH OF N.W. 142 STREET, AND BOUNDED ON THE NORTH BY N.W. 154 STREET, ON THE EAST BY N.W. 97 AVENUE, AND ON THE WEST BY N.W. 107 AVENUE...”
- In addition, a legible copy of Exhibit “A” is attached to the ordinance.
(LAW DEPT.)
- Z. Request permission to award Hialeah Bid No. 2018/19-2000-12-017 - *Medical Supplies*, to the following vendors: **Quadmed, Inc., Bound Tree Medical, LLC, Henry Schein, Inc., and Medline Industries Inc.**, for a period of one (1) year ending on September 30, 2020, with the option to renew for two (2) consecutive one-year terms, in a total cumulative amount not to exceed \$155,000. (FIRE DEPT.)
- AA. Request approval to retain the professional services of Gabriel, Roeder, Smith & Company, as actuary consultant to the City for the Elected Officers Retirement System, commencing on October 1, 2019 and ending on September 30, 2020, in a total cumulative amount not to exceed \$17,153. (RETIREMENT DEPT.)
- BB. Proposed resolution authorizing the expenditure of funds in an amount not to exceed

\$18,700.00 from the Law Enforcement Trust Fund - Federal, to purchase protective police gear against high-powered assault rifles for the Police Swat Unit from SRT Supply, Inc.; and providing for an effective date. (POLICE DEPT.)

- CC. Request permission to utilize State Contract No. 21100000-15-1- *Agriculture & Lawn Equipment* - effective through June 30, 2020, and issue a purchase order to EFE, Inc. doing business as Everglades Equipment Group, for purchase of seven (7) John Deere Gator TX Models, Year 2019, with the cost of each being \$7,690.03, in a total cumulative amount not to exceed \$53,830.21. (FIRE DEPT.)

5. ADMINISTRATIVE ITEMS

- 5A. Second reading and public hearing of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, Article II. “Carnivals, Shows and Exhibits”, retitled as “Special Events”; and amending §18-26 “Definitions”; §18-27 “Prohibited and Restricted Conduct”; §18-28 “Financial Statement”; §18-29 “Permit; Operating Standards”; and §18-30 “Additional Rules”; to provide for the permitting of organized special events and assemblies on government or private property of fifteen (15) persons or more; repealing all prior ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date. (ADMINISTRATION)

<i>On October 22, 2019, the item was postponed until November 12, 2019.</i>
<i>On October 8, 2019, the item was postponed until October 22, 2019.</i>
<i>On September 28, 2019 the item was tabled by the City Council until October 8, 2019.</i>
<i>Item was approved on first reading by the City Council on September 10, 2019.</i>

- 5B.** Second reading and public hearing of proposed ordinance accepting a dedication of vacant land for right of way purposes from the Machado Family Limited Partnership No. 2, LP, a Florida Limited Partnership, as more particularly described in the right-of-way deed, a copy of which is attached hereto and made a part hereof as “Exhibit 1”; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on October 22, 2019.

- 5C.** Second reading and public hearing of proposed ordinance accepting a dedication of vacant land for right of way purposes from Gimrock Property, LLC, a Florida Limited Liability Company, as more particularly described in the right-of-way deed, a copy of which is attached hereto and made a part hereof as “Exhibit 1”; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on October 22, 2019.

- 5D.** Second reading and public hearing of proposed ordinance approving covenants in favor of Miami-Dade County to maintain, operate and preserve a Stormwater Management System as designed on N.W. 102 Avenue, from N.W. 142 Street to N.W. 145 Place, as more particularly described in the form covenants, a copy of which is attached hereto and made a part hereof as “Exhibit 1” authorizing the execution of the covenants by the Mayor and the City Clerk, on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on October 22, 2019.

- 5E.** Second reading and public hearing of proposed ordinance amending Hialeah, Fla. Ordinance 2018-087 (September 24, 2018) adopting the Operating Budget for fiscal year 2018-2019 to approve and ratify supplemental appropriations in the amount of \$440,606 and to approve and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Operating Budget in the total amount of \$152,640,606; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

Item was approved on first reading by the City Council on October 22, 2019.

- 5F.** Second reading and public hearing of proposed ordinance amending Hialeah, Fla. Ordinance 2018-93 (September 24, 2018) that adopted the Public Works Fund Budget for fiscal year 2018-2019 to approve and ratify a reduction in appropriations in the amount of \$16,823,486 and to approve and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Public Works Fund Budget in the total amount of \$100,928,188; repealing all ordinances or parts of ordinances in conflict herewith; providing for a penalty in violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

Item was approved on first reading by the City Council on October 22, 2019.

- 5G.** Second reading and public hearing of proposed ordinance amending Hialeah, Fla. Ordinance 2018-092 (September 24, 2018) that adopted the Street Transportation Fund Budget for fiscal year 2018-2019 to approve supplemental appropriations in the amount of \$620,570 and to approve and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Street Transportation Fund Budget in the total amount of \$5,929,833; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

Item was approved on first reading by the City Council on October 22, 2019.

- 5H.** Second reading and public hearing of proposed ordinance amending Hialeah, Fla. Ordinance 2018-088 (September 24, 2018) that adopted the Stormwater Fund Budget for fiscal year 2018-2019 to approve and ratify a reduction in appropriations in the amount of \$425,090 and to approve and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Stormwater Fund Budget in the total amount of \$3,174,910; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties in violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

Item was approved on first reading by the City Council on October 22, 2019.

- 5I.** Second reading and public hearing of proposed ordinance amending Hialeah, Fla. Ordinance 2018-091 (September 24, 2018) adopting the Special Revenue Funds Budget for fiscal year 2018-2019, to approve and ratify supplemental appropriations in the amount of \$6,546,566 and to approve and ratify all unencumbered appropriation balance transfers for a new year-end Special Revenue Funds Budget in the total amount of \$30,529,135; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

Item was approved on first reading by the City Council on October 22, 2019.

- 5J.** Second reading and public hearing of proposed ordinance amending Hialeah, Fla. Ordinance 2018-089 (September 24, 2018) adopting the Capital Projects Fund Budget for fiscal year 2018-2019 to approve and ratify a reduction in appropriations in the amount of \$7,988,799 and to approved and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Capital Projects Fund Budget in the total amount of \$3,215,400; repealing all ordinances or parts of ordinances in conflict herewith; providing for a penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

Item was approved on first reading by the City Council on October 22, 2019.

- 5K.** Second reading and public hearing of proposed ordinance amending Hialeah, Fla. Ordinance 2018-090 (September 24, 2018) adopting the Debt Service Fund Budget for fiscal year 2018-2019 to approve and ratify supplemental appropriations in the amount of \$956,430 and to approve and ratify all unencumbered appropriation balance transfers for a new year-end debt service budget in the total amount of \$8,764,430; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

Item was approved on first reading by the City Council on October 22, 2019.

- 5L.** First reading of proposed ordinance approving a Final Plat of Aquabella North Replat; accepting all dedication of Avenues, Streets, Roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property bounded on the North by West 112 Street, on the South by 1/2 of section 16-52s-40e, on the East by the I-75 extension and on the West by 34 Court.**

Item was approved by the Planning and Zoning Board on October 23, 2019.

6. BOARD APPOINTMENTS

7. UNFINISHED BUSINESS

8. NEW BUSINESS

9. COMMENTS AND QUESTIONS

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

11/8/2019 7:09 PM

- a. Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow the expansion of an existing 55 student, K-8 school to a 100 student K-12; variance permit to allow ~~33~~ 95 parking spaces, where 327 are required and allow 9 of those 33 existing parking spaces to back out into the street. **Property located at 5800 Palm Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On October 22, 2019 the City Council postponed the item until November 12, 2019.</i>
<i>Item was approved on first reading by the City Council on October 8, 2019.</i>
<i>On September 25, 2019, the Planning and Zoning Board approved the item with conditions.</i>
<i>Planner's Recommendation: Approval with the condition that the school remains with 60 students and 6 staff members until the proposed parking lot is completed. A Declaration of Restrictive Covenants should describe the operational plan, number of students and staff before and after the completion of the parking lot, number of high school students that will be allowed to park on premises, control method to avoid that other high school students park on the swale areas, pick-up and drop-off times and number of parking control employees to manage that process.</i>
<i>Owner of the Property: Daniel Ramos, 5855 West 2 Avenue, Hialeah, Florida 33012 Larry Weeks, 740 SW 61 Avenue, Plantation, Florida 33317 Maria, Elizabeth Vitale, 155 East 61 Street, Hialeah, Florida 33013</i>

PZ 2. Second reading and public hearing of proposed ordinance granting a special use permit (SUP) pursuant to Hialeah Code of Ordinances § 98-1630.8 to allow the expansion of the Neighborhood Business Overlay District; and granting a variance permit to allow a single use building, where a mixed of use is required; allow all residential units to have an area of 625 square feet, where units shall have a minimum of 850 square feet and only 10% of the units may have a floor area of 600 square feet; allow 47% building frontage on East 1 Avenue, where 100% is required; allow front setback of 5 feet, and 14.4 feet, where 10 feet built-to-line are required; allow street side setbacks of 3 feet, 5 feet, and 6.25 feet, where 10 feet built-to-line are required; allow a 5.83 foot interior side setback, where 15 feet are required; allow surface parking on the street side front setback, where no surface parking is allowed; and allow 34 parking spaces, where 63 parking spaces are required; all contra to §§ 98-1627, 98-1630.2, 98-1630.3(d), 98-1630.3(e)(1), 98-1630.3(e)(2), 98-1630.3(4) and 98-2189(19)a. **Property located at 100 East 9 Street, Hialeah, Florida;** zoned CR (Commercial Residential District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a

severability clause; and providing for an effective date.

Item was approved on first reading by the City Council on October 22, 2019.

Registered Lobbyist: Anthony Escarra, Esq., 16400 NW 59 Avenue, Miami Lakes, Florida 33014.

On October 2, 2019, the Planning and Zoning Board approved the item with the condition that uses are restricted in a Declaration of Restrictive Covenants.

Planner's Recommendation: Approval subject to submittal of a parking management plan and submittal of a development schedule.

Owner of the Property: 100 E 9TH, LLC, 16400 NW 59 Avenue, Miami Lakes, Florida 33014.

- PZ 3.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (one-family district) to TOD (Transit Oriented Development District). **Properties located at 962, 972 and 980 East 26 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **POSTPONED UNTIL NOVEMBER 26, 2019**

Item was approved on first reading by the City Council on October 22, 2019.

Registered Lobbyist: Carlos Diaz, 333 SE 2 Avenue, Miami, Florida 33131.

On October 2, 2019, the item was approved by the Planning and Zoning Board.

Planner's Recommendation: Approval.

*Owner of the Property: Eloina G. Rodriguez, Francisco C. Rodriguez, Javier A. Valdes, 962 East 26 Street, Hialeah, Florida 33013.
Hialeah East 10 LLC, 1474 A West 84 Street, Hialeah, Florida 33014.*

- PZ 4.** Second reading and public hearing of proposed ordinance rezoning property from C-1 (Restricted Retail Commercial District) to C-2 (Liberal Retail Commercial District). **Property located at 4000 Palm Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

Item was approved on first reading by the City Council on October 22, 2019.

<i>On October 2, 2019, the item was approved by the Planning and Zoning Board with the condition that uses are restricted in a Declaration of Restrictive Covenants.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Carlos Corderi (President) 98 De Leon Drive, Miami Springs, Florida. Eduardo Corderi (Treasurer) 590 Pinecrest Drive, Miami Springs, Florida.</i>

PZ 5. Second reading and public hearing of proposed ordinance granting a special use permit (SUP) to allow the expansion of the Neighborhood Business District regulations pursuant to Hialeah Code of Ordinances § 98-1630.8; and granting a variance permit to allow all units to have 650 square feet, where 850 square feet is the minimum required and where only 10% may have a minimum of 600 square feet; allow 25% building frontage, where 100% is required; allow a front setback of 70.66 feet, where 10 feet built-to-line is required; allow 5.16 feet rear setback, where 15 feet are required; allow surface parking on front setback, where no surface parking is allowed; allow 14% pervious area, where 20% is required; and allow 92 parking spaces, where 153 parking spaces are required; all contra to Hialeah Code §§ 98-2189(16)a. and b., 98-1630.2 98-1630.3(d), 98-1630.3(e)(1), 98-1630.3(2), 98-1630.3(4); and contra to City of Hialeah Landscape Manual requirements updated July 9, 2015, ¶ (E), Table A, Industrial M-1, Percent of Required Surface Parking. Property zoned M-1 (Industrial District). **Property located at 7755 West 4th Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved on first reading by the City Council on October 22, 2019.</i>
<i>Registered Lobbyist: Anthony Escarra, Esq., 16400 NW 59 Avenue, Miami Lakes, Florida 33014.</i>
<i>On October 2, 2019, the Planning and Zoning Board approved the item subject to inclusion of pavers on the entire front driveway, submittal of a parking management plan and submittal of a development schedule.</i>
<i>Planner's Recommendation: Approval subject to inclusion of pavers on the entire front driveway, submittal of a parking management plan and submittal of a development schedule.</i>
<i>Owner of the Property: Amelia Mixed Use, LLC, 16400 NW 59 Avenue, Miami Lakes, Florida 33014.</i>

PZ 6. Second reading and public hearing of proposed ordinance granting a special use permit (SUP) pursuant to Hialeah Code of Ordinances § 98-1630.8 to allow the expansion of the Neighborhood Business Overlay District; and granting a variance permit to allow a single use building, where a mixed use is required; allow all residential units to have an area of 670 square feet, where units shall have a minimum of 850 square feet and only 10% of the units may have a floor area of 600 square feet; allow 36% building frontage, where

100% is required; allow front setback of 12.16 feet, where 10 feet built-to-line are required; allow west and rear side setbacks of 10 feet, where 15 feet are required; allow surface parking on the front and east side setbacks, where no surface parking is allowed; allow a pervious area of 19%, where 30% is required; and allow 31 parking spaces, where 54 parking spaces are required; all contra to §§ 98-1627, 98-1630.2, 98-1630.3(d), 98-1630.3(e)(1), 98-1630.3(e)(2), 98-2056(b)(1), 98-1630.3(4), and 98-2189(19)a. **Property located at 440 East 27 Street, Hialeah, Florida**; zoned R-3 (Multiple-Family District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved on first reading by the City Council on October 22, 2019.</i>
<i>Registered Lobbyist: Anthony Escarra, Esq., 16400 NW 59 Avenue, Miami Lakes, Florida 33014.</i>
<i>On October 2, 2019, the Planning and Zoning Board approved the item subject to conditions.</i>
<i>Planner's Recommendation: Approval subject to submittal of a parking management plan and submittal of a development schedule.</i>
<i>Owner of the Property: 100 E 9TH, LLC, 16400 NW 59 Avenue, Miami Lakes, Florida 33014.</i>

PZ 7. First reading of proposed ordinance rezoning property from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District) for the legalization of an existing living unit on the second floor; and granting a variance permit to allow a duplex on a substandard lot with frontage of 60 feet, where 75 feet are required and area of 7,320 square feet, where 7,500 square feet are required; allow 6.13 feet north side setback, where 7.5 feet is required; and allow 6.83 feet rear setback for existing accessory building, where 7.5 feet are required; all contra to Hialeah Code of Ordinances §§ 98-544, 98-546, and 98-547(a). **Property located at 1765 East 9 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist:</i>
<i>On October 23, 2019, the Planning and Zoning Board approved the item with the condition that the legalizations are completed within 180 days.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Stephen Manson, 1321 NE 172 Street, North Miami Beach, Florida 33162</i>

PZ 8. First reading of proposed ordinance vacating and abandoning for public use the 12 foot alley extending approximately 140 feet East of an existing closed alley closed by

Ordinance 2018-003, running North of the properties located at 853 East 24 Street and 859 East 24 Street and running South of the properties located at 840 East 25 Street, 860 East 25th Street and 879 East 25 Street; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida 33016.</i>
<i>On October 23, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: David Ortiz, 100 South Pointe Drive, Suite 2702, Miami Beach, FL 33139</i>

FINAL DECISIONS

FD 1. Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 2019-27 that granted an adjustment on the property located at **6481 West 12 Avenue, Hialeah, Florida**; and providing for an effective date.

<i>On October 2, 2019, the Planning and Zoning Board approved the item with the condition that the terrace remains open on three sides and the legalization process is completed within 180 days.</i>
<i>Planner's Recommendation: Approval with the condition.</i>
<i>Owner of the Property: Carlos Fernandez & Mariela Alcolea, 6481 West 12 Avenue, Hialeah, Florida 33012.</i>

NEXT CITY COUNCIL MEETING: Tuesday, November 26, 2019 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, February 11, 2019 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes

the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).